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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,363	11/22/2000	Jari Suutarinen	796.377USW1	6589

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Altera Law Group
10749 Bren Road East
Minneapolis, MN 55343

EXAMINER

LEE, JOHN J

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/721,363

Applicant(s)

SUUTARINEN, JARI

Examiner

John J Lee

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments with respect to claims 1 - 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 –11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Fellner et al. (US Patent number 5,999,616).

Regarding **claim 1**, Fellner discloses that a method of trace activation in a communications system (Fig. 1), wherein a station is in communication with the communications network (Fig. 1), whereby a trace report is generated for a station (Fig. 7) wherein, the method comprising:

a communication from a station is directed to a predefined trace activation number (Fig. 1 and 6 teach central offices monitor incoming and outgoing calls with automated call tracing as require input from the user for the trace telephone

number) (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63) and

tracing is activated for the communicating station (central station) (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63).

Fellner does not specifically disclose the telecommunication infrastructure is used in a mobile telephone system. However, ^{it}~~this~~ would have been obvious that the telecommunication infrastructure used in the telephone system taught by Fellner could have been used in a mobile telephone system since mobile telephone system is just one kind of telephone system and the principle works the same.

Regarding **claim 2**, Fellner discloses all the limitation, as discussed in claim 1. Furthermore, Fellner further discloses that tracing is activated for the calling mobile station (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63), and

tracing is deactivated when the call is ended (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63).

Regarding **claim 3**, Fellner discloses all the limitation, as discussed in claim 1. Furthermore, Fellner further discloses that a message from the mobile station is directed to the predefined trace activation number (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63).

Regarding **claim 4**, Fellner discloses that tracing is deactivated when a preset time period is elapsed (column 4, lines 1 – column 5, lines 55 and column 1, lines 65 – column 2, lines 63).

Regarding **claim 5**, Fellner discloses that tracing is deactivated when a second message from the mobile station is directed to the predefined trace activation number (column 3, lines 13 – column 5, lines 26 and column 1, lines 65 – column 2, lines 63).

Regarding **claim 6**, Fellner discloses all the limitation, as discussed in claim 1.

Regarding **claim 7**, Fellner discloses all the limitation, as discussed in claims 1 and 2.

Regarding **claim 8**, Fellner discloses that the call is forwarded to a predefined trace activation number (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63).

Regarding **claim 9**, Fellner discloses that tracing is activated and deactivated automatically at the switching center (column 3, lines 13 – column 5, lines 26, Fig. 5, 6, 7, and column 1, lines 65 – column 2, lines 63).

Regarding **claim 10**, Fellner discloses all the limitation, as discussed in claim 1.

Regarding **claim 11**, Fellner discloses all the limitation, as discussed in claim 1.

Art Unit: 2682

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bushnell (US Patent number 6,320,955) discloses Remote Activation of Call Trace.

Salch (US Patent number 6,163,701) discloses Providing Information of a Mobile Station in a Communication System.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(703) 306-5936**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached on **(703) 308-6739**. Any inquiry of a general nature or relating to the status of this

Art Unit: 2682

application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
February 26, 2002

John J Lee


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
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3/11/02